

ENTERED

January 22, 2018

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

BILAL AHMAD GHURI,

Plaintiff,

v.

BEAUMONT RACEWAY, INC., *et al.*,

Defendants.

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CIVIL ACTION NO. H-17-2975

ORDER

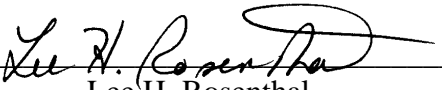
Bilal Ghauri sued Beaumont Raceway for failing to pay overtime wages, seeking a collective action under the Fair Labor Standards Act. Beaumont Raceway moved to dismiss for lack of subject-matter jurisdiction because Ghauri, the only plaintiff, “has effectively withdrawn his consent to proceed with the FLSA claim and has terminated the attorney-client relationship with his attorney” (Docket Entry No. 17, at 2). Beaumont Raceway attached two letters from Ghauri to his attorney, Salar Ali Ahmed. The first letter, typed and dated October 31, 2017, states: “I Bilal Ghauri would like to withdraw my lawsuit of unpaid overtime against Mr. Syed Shah and Mr. Shylore Joseph and their related entities. I give my consent without any pressure and influence. Please take my name out as a plaintiff in this case, as I do not wish to proceed against the defendants.” (*Id.*, Ex. 1). In the second letter, also typed, dated December 26, 2017, Ghauri states that Ahmed is no longer his lawyer and asks him to dismiss the case. (*Id.*, Ex. 2). On January 12, 2018, Ahmed filed a motion to amend Ghauri’s complaint to add a plaintiff to the collective action, also represented by Ahmed. (Docket Entry Nos. 18, 19).

Ghauri filed a notice of dismissal, handwritten and dated January 19. (Docket Entry No. 20). On the same date, Ahmed responded to the motion to dismiss, arguing that the defendants had repeatedly contacted Ghauri and authored letters on his behalf without Ahmed’s knowledge or

consent. Ahmed alleges that the defendants coerced Ghauri into dismissing his claims against them, in bad faith, and asks for a hearing on the motion to dismiss and on his own motion to impose sanctions.

A hearing on the motion to dismiss and request for sanctions is set for **Friday, January 26, at 11:00 a.m.**, at which Bilal Ghauri, Shylore Joseph, Syed Shah, and their counsel must all appear.

SIGNED on January 22, 2018, at Houston, Texas.



Lee H. Rosenthal
Chief United States District Judge